

REMARKS

Claims 1-13 are now in this application. Claims 1 and 2 are rejected.

New claims 3-13 are added. Claims 1 and 2 are amended herein to clarify the invention and to address matters of form unrelated to substantive patentability issues. For the convenience of the Examiner, APPENDIX I is provided herewith having a complete set of pending claims with all amendments effected therein.

ABSTRACT OBJECTION

The Examiner objects to the abstract on the basis that it includes legal terms. The abstract is amended herein accordingly. It is submitted that the amended abstract is in full conformance with 37 CFR 1.72 and MPEP 608.01(b). Therefore, reconsideration of the objection to the abstract is respectfully requested.

§ 112, SECOND PARAGRAPH REJECTIONS

Claims 1 and 2 are rejected as indefinite under 35 U.S.C. § 112, second paragraph, for failing to particularly point out and distinctly claim the subject matter of the invention. The Office Action cites various informalities in the claim

language including awkward wording and lack of antecedent bases. The Office Action further indicates that claim 2 contains allowable subject matter and would be allowed if amended to overcome the §112, second paragraph rejection.

Claims 1 and 2 are amended to clarify the claimed invention and to place the claims into conformance with U.S. claiming practice. The amendments were made with consideration of the various informalities noted in the Office Action. With regard to claim 2, the claim is amendment to stand in independent with amendments which simply address form and do not narrow the claim or address issues of patentability. It is respectfully submitted that the amendments remove or correct the informalities noted in the Office Action. Therefore, and in light of the Office Action statement indicating that claim 2 contains allowable subject matter, reconsideration of the rejection of the claims and their allowance are earnestly requested.

§103 CLAIM REJECTIONS

Claim 1 is rejected as obvious over the Izumi reference in view of the Bernhardt reference under 35 U.S.C. §103(a). The applicant herein respectfully traverses this rejection. For a rejection under 35 U.S.C. §103(a) to be sustained, the differences between the features of the combined references and the present

invention must be obvious to one skilled in the art.

It is respectfully submitted that a *prima facie* case of obviousness has not been established in the rejection of claim 1. "To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine the reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on the applicant's disclosure. *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991)." MPEP §706.02(j) "Contents of a 35 U.S.C. §103 Rejection". As related below, the references do not teach every feature of the invention.

It is first noted that the references do not teach the "regulation mechanism for adjusting and maintaining a distance between both said inside rails." As best understood from the references, the member referred to by the Examiner are fixed to the side rails and do not provide a means for adjustment. In the Izumi reference the cross member 16, or stay, is fixed to the top of the rails as is described in the background section of the present application. Item 17 is a motor is a motor used

to alter a distance between member 16 and member 29 and does not alter a distance between the inside rails. The replacement of the word “regulating” with “adjusting” is not considered to change the scope of the claim as the intended meaning of “regulating” was to “adjust” since the word “maintaining” was also included in the original claim so regulate must mean something other than “maintaining” which could only be construed as “adjusting.”

With regard to the Bernhardt reference, the member 19 is fixed to a flange attached to the top of the rails and can hardly be said to be fixed to the inside faces of the rails. In order to clarify the function of the stay of the invention, which is to oppose inward forces generated by the slide bearings, the stay is recited as substantially opposing the V-grooves. As discussed in the application, the stay serves to resist deflection of the inside rails. This is not suggested by the references.

Thus, it is respectfully submitted that the rejected claim is not obvious in view of the cited references for the reasons stated above. Reconsideration of the rejection of the claim 1 and its allowance are respectfully requested.

ADDED CLAIMS

Dependent claims 3-13 are added and are submitted as patentable over the

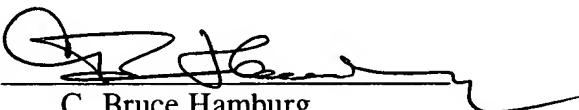
cited art of record and are submitted as patentable based on the subject matter cited therein in addition to the subject matter of their respective base claims. Claim 3 relates the threaded condition of the stay and sprocket while claims 4 and 5 detain the locking mechanism. Claims 8-13 relates the threaded connection of the stay and rail. Such features are not disclosed by the references.

A one month extension of time is hereby requested for which please charge the government fee of \$110.00 to Deposit Account No. 10-1250. Please charge any fee deficiency or credit any overpayment to the same deposit account.

In light of the foregoing, the application is now believed to be in proper form for allowance of all claims and notice to that effect is earnestly solicited.

Respectfully submitted,

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APPENDIX I

ALL PENDING CLAIMS WITH AMENDMENTS EFFECTED THEREIN

1. (Currently Amended) A slide rail comprising:

a pair of inside rails in which V-grooves having a V shape in cross section are formed in a lengthwise direction in outside faces of the pair of inside rails which have inside faces provided so as to face each other;

V-grooves formed in inside faces of a pair of outside rails provided outside of both said inside rails, and said outside rails are moved relative to said inside rails by spherical bodies provided between both said V-grooves; and

a stay both ends of which are supported on the inside faces of both said inside rails substantially opposing said V-grooves of said inside rails, and said stay is provided with a regulation mechanism for adjusting and maintaining a distance between both said inside rails.

2. (Currently Amended) A slide rail in which V-grooves having a V shape in cross section are formed in a lengthwise direction in outside faces of a pair of inside rails having inside faces provided so as to face each other and in inside faces of a pair of outside rails provided outside of both said inside rails, and said outside rails are moved relative to said inside rails by spherical bodies provided between both said V-grooves,

wherein there is provided a stay both ends of which are supported on the inside faces of both said inside rails, and said stay is provided with a regulation mechanism for regulating and maintaining a distance between both said inside rails, and

wherein there is provided a sprocket for a chain for driving said outside rail

on the inside face of said inside rail, and said stay is supported on said inside rails via a sprocket shaft which supports said sprocket on said inside rail.

3. (New) The slide rail according to claim 2 wherein the mechanism for regulating and maintaining a distance includes said stay and said sprocket being threaded together to permit varying said distance by variably threading said stay and said sprocket together.

4. (New) The slide rail according to claim 3 further comprising a means for locking a threaded state of said stay and said sprocket.

5. (New) The slide rail according to claim 4 wherein the means for locking is a locking nut.

6. (New) The slide rail according to claim 2 wherein the both ends of the are supported on the inside faces of both said inside rails substantially opposing said V-grooves of said inside rails.

7. (New) The slide rail according to claim 3 wherein the both ends of the are supported on the inside faces of both said inside rails substantially opposing said V-grooves of said inside rails.

8. (New) The slide rail according to claim 1 wherein the mechanism for adjusting and maintaining a distance includes said stay and a support member supporting an end of said stay on at least one of said inside rails, and said stay and said support member being threaded together to permit varying said distance by variably threading said stay and said support member together.

9. (New) The slide rail according to claim 8 further comprising a means for locking a threaded state of said stay and said support member.

10. (New) The slide rail according to claim 9 wherein the means for locking is a locking nut.

11. (New) The slide rail according to claim 1 wherein the mechanism for regulating and maintaining a distance includes an end of said stay being threadably supported on at least one of said inside rails to permit varying said distance by variably threading said stay with relation to said rail.

12. (New) The slide rail according to claim 11 further comprising a means for locking a threaded state of said stay and said support member.

13. (New) The slide rail according to claim 12 wherein the means for locking is a locking nut.